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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifth session

SUMMARY RECORD OF THE 114th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 17 January 1994, at 3 p.m.

Chairperson: Mrs. BADRAN

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (agenda item 4) (continued)

Initial report of Colombia (continued) (CRC/C/8/Add.3, CRC/C/5/WP.2)

1. The CHAIRPERSON invited the Colombian delegation to reply to the List of issues to be taken up in connection with the consideration of the initial report of Colombia (CRC/C/5/WP.2), devoting special attention to what were considered to be the priority issues in each section and commencing with the section "General principles".

General principles

Non-discrimination (art. 2 of the Convention)

1. Please indicate to what extent the provisions of article 2 are covered in Colombian legislation with regard to all possible grounds for discrimination spelled out in that article.

2. Please indicate specific and concrete measures taken to combat discrimination against girls, rural children, children belonging to minorities or indigenous communities, refugee children, asylum-seeking children and disabled children, including measures to eliminate and prevent discriminatory attitudes and prejudices.

3. What efforts are being made to collect data broken down by groups of children on aspects relating to the Convention? Has any office been set up to compile and follow up cases of exploitation and discrimination in respect of children?

2. Mrs. GALAN (Colombia), referring to the "General principles" section, and in particular to question 2 on measures to combat discrimination (art. 2), said that the Colombian Family Welfare Institute had set up a number of specific programmes for children. The Family Education for Child Development Programme (PEFADI) targeted rural families and the National Programme of Action in Favour of Children was aimed at raising the health level of the Colombian population; the Comprehensive Care Programme for the Under-Sevens was intended for families living in areas of poverty who made use of programmes such as the Community Homes and Children's Homes. A campaign for vaccination against measles, diphtheria, whooping cough and tetanus had also been launched, and parents who wished to place their children in a day-care centre or home were required to produce a vaccination booklet. An Epidemiological, Food and Nutrition Monitoring System (SISVAN) was aimed at detecting malnutrition among children under five years of age and carrying out a follow-up of the measures taken to help families suffering from chronic malnutrition. The National Plan for the Survival and Development of Children (SUPERVIVIR) worked in coordination with the Ministry of Health to reduce the main causes of mortality and morbidity among children and to change parents' practices and attitudes through community action programmes. It had helped raise the average national vaccination coverage to 80 per cent in 1994 for the

main antigens. The Colombian Family Welfare Institute published data broken down according to district on all aspects of the Convention on the Rights of the Child. The data were used and reviewed and adapted according to the needs.

3. Turning to question 3, she said that an inter-agency network had been specially designed, as part of a pilot programme, to record cases of ill-treatment, which children in Colombia frequently suffered. The programme aimed primarily at raising awareness, among health personnel, teachers and society at large, of the many cases of physical ill-treatment and sexual abuse suffered by Colombian children. It was to be implemented in 1994.

4. Mrs. SANTOS PAIS noted with satisfaction that Colombia's legislation recognized the principle of non-discrimination laid down in article 2 of the Convention on the Rights of the Child. She regretted, however, that there was rather a difference in the pace of implementation, for example as between the rich and poor areas and especially the communities without access to basic services. That was evident from paragraph 211 of the report and the chapter on the administration of juvenile justice, and clearly reflected a certain insufficiency in the measures taken for the benefit of poor children. She would be glad if the representative of Colombia would indicate whether positive action was undertaken on behalf of the poorest classes of society to help them to enjoy equal access to health and education. It would also be useful to know whether special training was being planned for teachers to give them greater ability to treat those children on an equal basis.

5. Mr. HAMMARBERG said he had also noted the existence of institutionalized discrimination against poor children and rural children. Injustices were continuing; he urged the Colombian delegation to consider the introduction of bold programmes for ending the vicious circle and eliminating discrimination against those groups of children.

6. Mrs. SARDENBERG said that she would like additional information on non-discrimination in the areas of marriage and religion. She would also like to know what exactly was the role played by the Constitutional Commission.

7. Mrs. EUFEMIO asked whether the Colombian Government had taken or was planning any measures to care for child victims of sexual exploitation and avoid their being doubly stigmatized.

8. Mgr. BAMBAREN GASTELUMENDI expressed regret at the discrimination against poor children in Colombia. Although such discrimination was not specific to Colombia, unfortunately children were often the victims of arbitrary executions and wrongful detention and were considered to be socially undesirable. He asked what steps the Colombian Government was taking to combat such discrimination.

9. The CHAIRPERSON asked the Colombian delegation kindly to describe the specific and practical measures that were being taken by the Colombian Government to combat discrimination in the areas mentioned by the members of the Committee.

10. Mrs. GALAN (Colombia), replying to Mgr. Bambaren Gastelumendi, said that the Colombian Government made no distinction between poor and rich children. Programmes were designed for the population groups that had basic needs to satisfy. All children enjoyed equal access to health care, education and basic food, with no economic or social discrimination whatsoever, and specific measures were taken to ensure equal access for all to social security.

11. With regard to marriage, minors (persons under 18 years of age) could not enter into marriage without the express permission of their parents.

12. Freedom of religion was guaranteed to all groups in Colombian society. The Constitution recognized the equality of all faiths and all churches before the law, and the Constitutional Commission made sure that religion was practised freely and without discrimination in the schools and universities.

13. Referring to the question of sexual exploitation, she said that a national sex education plan had been introduced in the schools, high schools and universities to educate young people and enable them to develop fully without considering sexuality as a taboo. The plan, set up three years before, was being strengthened and was participated in by governmental and non-governmental organizations that worked on such problems together with the agencies dealing with children's issues. The programme encouraged the adoption of less negative attitudes, better relations and understanding between men and women and a conscious change in the patriarchal-type family, and in some cases made possible the avoidance of AIDS.

14. Mr. HAMMARBERG said that it was important to make a distinction between the protection of children in legislation and their protection in actual fact. Colombia's laws seemed quite impressive, but he noted that 22 per cent of school-age children in rural areas did not attend school. The legislation in that area therefore did not work satisfactorily. He urged the Colombian delegation to give primary consideration to the actual problems on which the Colombian Government should concentrate in order to improve children's living conditions.

15. The CHAIRPERSON noted that the Colombian delegation was not yet in a position to give replies on the issues that followed. She invited members of the Committee to ask the delegation their most important questions in the categories of best interests of the child (art. 3) right to life, survival and development (art. 6), respect for the views of the child (art. 12) and the section entitled "General principles" of the List of issues to be taken up in connection with the consideration of the initial report of Colombia (CRC/C/5/WP2).

Best interests of the child (art. 3 of the Convention)

4. Please indicate in what way the "best interests of the child" are taken into consideration in legislation as well as in judicial, administrative and other proceedings, including those concerned with the enforcement of the Convention.

The right to life, survival and development (art. 6 of the Convention)

5. Please indicate steps taken to create an environment conducive to ensuring "to the maximum extent possible" the survival and development of the child. What is being done to promote a "life culture" in a society marked by violence and death?

Respect for the views of the child (art. 12 of the Convention)

6. What concrete measures have been taken to sensitize public opinion and educate personnel working with children to the need to encourage children's participatory rights?

7. Please indicate the way in which the principle of respect for the views of the child is reflected in all matters affecting the child, particularly in judicial and administrative proceedings.

16. Mgr. BAMBAREN GASTELUMENDI, referring to the issue "right to life, survival and development" (art. 6), said that that issue was a crucial one and should be considered in the wider context of the problems of street children. It was regrettable that some children lived in a daily climate of violence from birth onwards and he would like to know what the Colombian Government was doing to change the children's daily lives and to ensure respect for their dignity.

17. Mrs. GALAN (Colombia) said that the Colombian Government was endeavouring to check violence by promoting a culture of life and respect for others through educational radio and television programmes. In addition, every year a Life Day, with various cultural events, was organized in the neighbourhoods. In schools teachers tried to make children aware of the need for non-violence, tolerance and settlement of conflicts with respect for others. The Public Prosecutor's Office saw to it that people who endangered the lives of others were duly punished. Steps were being taken to make the public aware of the law and to make sure that those responsible for law enforcement performed their task properly. It was not an easy matter to put the law into effect, but the Government was working actively to that end. In that connection, the new Constitution enabled citizens whose rights had been violated to seek a remedy of protection.

18. Mrs. SANTOS PAIS said that she would like to have specific information on the way in which the best interests of the child were taken into account with regard to access to health and education by children of families living in extreme poverty and child victims of violence, especially sexual violence, within their own family. She would also like to know under what specific circumstances the Defensor de Familia could allow work by a child over the age of 12 years. In order to save time, she suggested that the Colombian delegation should furnish written replies to those questions at a later date.

19. The CHAIRPERSON invited the Colombian delegation to consider the section entitled "Civil rights and freedoms" (p. 4 of the List of issues, CRC/C/5/WP.2).

Civil rights and freedoms
(arts. 7, 8, 13-17 and 37 (a) of the Convention)

1. Please indicate concrete measures taken to ensure, also in practice, that all children are registered after birth, including sanctions in case of non-registration or late registration. How is registration ensured, particularly in rural areas and for families displaced by violence?

2. What steps are being taken to encourage the publication, dissemination and availability to all children of children's literature?

3. How are children protected from violence and harmful influences in the mass media?

4. What concrete steps have been taken, for example in case of sexual abuse or of exposure to harmful influences in the mass media?

5. What concrete steps have been taken to investigate cases of ill-treatment of children and to prevent its occurrence? Have any complaints been lodged regarding corporal punishment in the family, the schools or tutelary institutions? What is the percentage?

6. Is corporal punishment allowed in schools or other institutions for children? What specific legal provisions exist to protect children from being ill-treated? What kind of guarantee is there of the right of boys or girls to complain of any abuse sustained by them?

20. Mrs. SANTOS PAIS said that she would like the Colombian delegation to give priority to questions 5 and 6.

21. Mrs. GALAN (Colombia) said that when a child was abandoned or in danger, the Defensor de Familia was empowered to take a number of steps which could range, according to the circumstances, from a warning to the parents to the award of custody of the child to a member of the family or even placement of the child in another family or a special protection centre. In the case of abandonment an adoption procedure could be undertaken. The Defensor de Familia could also oblige parents to undergo treatment for alcoholism or psychological or psychiatric treatment. It was not sufficient to punish those responsible for the ill-treatment; a policy of prevention and education also had to be carried out. One NGO, the National Group for the Prevention of Ill-treatment of Children, was working in that area in cooperation with the competent authorities. It should also be noted that in Colombian schools, teachers no longer used corporal punishment, which had become a thing of the past.

22. The legal provisions aimed at protecting children from ill-treatment were to be found in Act No. 12, in the Children's Code and, naturally, in the Convention on the Rights of the Child. An ill-treated child could apply for the remedy of protection ("acción de tutela") to have the situation corrected. There was a weekly television programme which told children specifically how to initiate that procedure and what its results were.

23. Mr. KOLOSOV said that he would like to know the findings of the inquiries that had been conducted into cases of disappearance of children. He would also like to know whether a child under 18 years of age was entitled to express his views on religious matters.

24. Mrs. SANTOS PAIS said she wished to know to what penalties people - including police officers - who tortured children, were liable and how that penalty was publicized? What were the effective remedies in the courts for child victims of ill-treatment and what type of compensation were they awarded? Finally, were confessions obtained under torture considered by the law to be null and void?

25. Mrs. GALAN (Colombia) said that she did not have precise statistics on the number of disappearances of children. However, it was believed that there were currently approximately 18,000 abandoned children in Colombia. There was a television programme entitled "Children in search of their parents", which enabled children to find parents with whom they had lost contact for various reasons. With regard to religious freedom, it was for the family freely to choose a particular religion. Her delegation would send the members of the Committee a copy of the Minors' Code, which indicated the penalties incurred by those who infringed the rights of children.

26. Mrs. SARDENBERG asked whether the bill mentioned in paragraph 101 of the report, which established penalties for acts of violence within the family, had been adopted by the Parliament, and what its main provisions were.

27. Paragraph 130 of the report stated that there were some 7,000 children receiving care for ill-treatment. In another document, however, the Colombian Family Welfare Institute spoke of 100,000 children. Which figure was correct? The same paragraph said that parents who ill-treated their children were given a warning. Was such a measure sufficient to protect children?

28. Mr. KOLOSOV said that he would like to have information on the relationship between disappearances of children and the sale of organs. On another matter, under Colombian legislation it appeared that until a child reached the age of 18 he was not free to practise a particular religion or not to practise any religion. Was that not inconsistent with the provisions of articles 12 and 14 of the Convention?

29. Mqr. BAMBAREN GASTELUMENDI said that he was concerned at the number of complaints (100,000) received by the Colombian Family Welfare Institute which Mrs. Sardenberg had mentioned. The Committee had also been informed that an average of 6 children per day died from violence or ill-treatment. During the first half of 1993, 15 children had disappeared, 73 children between 13 and 18 years of age had been murdered and 9 had been executed during "clean-up" operations. Cases of detention had also been reported. The authorities appeared to act too hastily when they arrested children suspected of offences: there were 10,000 detainees between 12 and 18 years of age, although it should be noted that 6,000 had quickly been released.

30. He read out a document the Committee had received that day from the World Organization against Torture, which had been informed of the "Alleged detention, torture and summary execution of three people in Colombia,

including a minor, 15-year-old Luz Amelia Enciso." On 4 January 1994, Luz Amelia had been taken, together with her father, Luis Antonio Enciso, to a barracks in San Juan de Río Seco (Department of Cundinamarca). The next day, Mr. Manuel Guillermo Enciso, Luis Antonio Enciso's father, went to the military authorities to inquire about the situation of members of his family. On 6 January 1994, the body of Luz Amelia Enciso was found, bearing signs of severe torture, together with that of her father and grandfather, in the region of San Juan de Río Seco. The international secretariat of the World Organization against Torture/SOS-TORTURE asks the Committee on the Rights of the Child to request that the Colombian authorities conduct an exhaustive and impartial inquiry so that those responsible for the detention, torture and alleged summary execution of Luz Amelia Enciso will be duly identified and severely punished, given the seriousness of the ill-treatment.

31. He recalled that in Peru, his country of origin, the people had been subjected to suffering because of the anti-subversive campaign. Many of the people who had been brought in to army barracks had never been seen again. That raised the problem of the conduct of the military themselves, or of the police forces, who had infringed people's rights in the past. Those events were all the more serious because the culprits were precisely those whose role it was to safeguard the lives and security of individuals; instead of bringing them to court, they tortured them or caused them to disappear. He was concerned at the large number of such complaints and of disappeared persons in the previous year.

32. Mrs. SANTOS PAIS said that, in view of the present lack of time and preparation, she would like the Colombian delegation to reply to the Committee's questions in writing. She noted that Colombia's legislation provided for various penalties for child torture, including fines. She doubted that fines would be considered an appropriate penalty anywhere in the world. She hoped that the Government would do everything in its power to prevent such crimes from occurring in the future. In a society where violence was due to various reasons, such as terrorism or drug trafficking, special measures had to be taken to meet special situations if the rights of children were to be promoted and impunity eliminated.

33. The CHAIRPERSON asked the delegation to take up Mrs. Santos Pais' suggestion and reply in writing to the very important questions on disappearances, torture and freedom of religion.

34. Mrs. GALAN (Colombia) agreed to do so. She said that the Colombian Government was doing everything in its power, through the Office of the Attorney-General (Fiscalía) and the Public Prosecutor's Office (Procuraduría), to ensure that investigations were conducted and the acts in question were punished, not only by fines but also by prison terms. She assured the Committee that it would receive that information in writing.

35. Regarding the bill on intra-family violence (Ley sobre la violencia entre familiares), the Congress, before which the bill had been placed, was considering how to make it a law aimed not only at punishment but also at education for the prevention of violence in the family. The text of the bill would also be transmitted to the Committee.

36. The CHAIRPERSON turned to the questions in the section "Family environment and alternative care" and invited the Colombian delegation to answer them also in writing. For the time being she would like the delegation to explain the adoption procedures in Colombia and abroad and the people's attitude towards it. She invited members of the Committee to ask other questions relevant to that section of the list.

37. Mr. KOLOSOV said that according to his information, there had been 50,000 street children in Colombia in 1991, including 7,000 in the capital. In one year, 1,500 of those children had run away from special centres where they were receiving care. To what was that desertion due? Was it perhaps the living conditions in the centres?

38. Mgr. BAMBAREN GASTELUMENDI said that when he had lived in Colombia he had been impressed by the strength of the Colombian family. According to recent information, however, the number of female heads of household had increased by 25 per cent, which indicated that the institution of the family was deteriorating. He was also concerned at the age of the women concerned: 13 per cent were between 11 and 15 years old and 50 per cent between 15 and 17 years old. He would like to see the content of the sex education classes reviewed. Even for the primary school level, the sex education textbooks placed great emphasis on contraceptive methods, whereas it would be more appropriate to transmit family values. Reducing the birth rate and avoiding the consequences of sexual relations were not the only objectives. In his view, the content of the sex education provided tended to foster an increase in the number of pregnant adolescents.

39. Colombia was one of the countries in the region with the highest rate of adoption of children abroad. He wished to know whether Colombia had acceded to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and whether it had legislation to protect children adopted abroad?

40. Mr. HAMMARBERG said that he wished to revert to the problem of the traffic in children's organs referred to by Mr. Kolosov. That was a delicate issue for, although much was heard about the matter, there was little documented evidence. Action should be taken to punish that activity firmly by law and to ensure that the legislation made it impossible. Because in some countries, for example, in Europe, the legislation in that area was strict, he believed that some parents whose child needed an organ turned to other countries. The Committee was of the view that despite the lack of evidence, Colombia should take legal measures to prevent such traffic. He would like to know what had already been done by the Colombian Government in that respect.

41. The CHAIRPERSON invited the representative of Colombia to reply to the Committee's questions relating to the section "Family environment and alternative care".

42. Mrs. GALAN (Colombia) said that as far as the father's role in the family was concerned, Colombia endeavoured to make fathers accept their parental responsibilities, which were set forth in the Minors' Code. In case of complaints of non-payment of maintenance, the Colombian Family Welfare

Institute saw to it that the amount due was withheld from the father's wage, according to the number of dependent children and the offences with which the father was charged.

43. A programme entitled "SER PAPA" or "PATERNAR", which sought to change the institutional and cultural attitude of parents towards their children, had been launched in Colombia. Fathers should also show affection, love and tenderness towards their children and supervise their education, and they had a role to play immediately the mother became pregnant. The campaign, conducted through posters and the media (television), had been very successful. She noted, however, that mothers often did not allow men to help bring up their children.

44. Thanks to advisory services (servicios de asesoramiento), the Government was working with families to deal with any conflicts that arose. The Colombian Family Welfare Institute had been established precisely for the purpose of strengthening family ties. In the last five years, however, the family unit had changed radically. According to a government study, there were currently 19 types of families in existence. The conventional family (father, mother and children), which had formerly accounted for 75 to 80 per cent of cases, was now in the minority (40 per cent). Families where the mother (20 to 25 per cent) or the father were alone were becoming increasingly frequent. There were also cases where children were entrusted to their aunt or uncle or to grandparents, as well as cases of care of children by another family? Such radical changes meant that not only must families be educated, but the different types of families must also be helped if their children were to grow up without suffering any harm, in either their education, health or leisure activities.

45. Couples came together and broke up more frequently than in the past. A father might have up to six children born of different mothers, which complicated recovery of maintenance, for such children were not always recognized by their father. Likewise, women occasionally sought another man to meet their children's needs, but the new partner was often less inclined to take responsibility for children that were not his own.

46. She agreed with Mgr. Bambaren Gastelumendi that sex education should place greater emphasis on the responsibilities that the birth of a child brought with it, in order to effect changes in attitude among the population. The Colombian authorities were alarmed by the lack of responsibility adults often displayed towards their children, but the national sex education plan should help to correct that. However, the process could be successful only if parents, teachers and government officials played a full part in it.

47. With regard to adoption, she confirmed that Colombia had become a party to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption the previous year. The Colombian Family Welfare Institute supervised adoptions. Priority was given to Colombian families and an effort was made to limit the number of adoptions abroad. In that connection, she noted that, in European countries and in North America, families wishing to adopt a child often had no objection to the child's being disabled. In Colombia, however, children under six and in good health were

preferred, but that trend was diminishing. A four-year-old child with serious physical problems had recently been adopted by middle-class people, despite warnings from their family and friends.

48. The number of disabled children was increasing, owing to lack of perinatal care or childbirth under poor conditions. The authorities were making major efforts in the health sector, especially with midwives, to ensure that pregnancies were properly monitored in the first three months. That, too, was a cultural problem, and efforts were being made to improve relations between midwives and doctors and nurses, for the benefit of the pregnant woman and the child to be born.

49. There was a National Committee for the Protection and Monitoring of Disabled Children (visual and motor disabilities, etc.). Learning problems were also frequently found in the schools. However, the Ministry of Education had begun a special education and reintegration programme, and it was also working in coordination with the Ministry of Health to secure the reintegration of disabled children (preschool and primary school children and adolescents) into society.

50. With regard to street children, she was surprised at the figures the Committee had quoted. According to a Chamber of Commerce census, which could not be considered biased since the Chamber was independent from the Government, there were 5,000 street children in Bogotá. She also disputed the figures mentioned by Mr. Kolosov, according to whom one in four children sent to specialized centres ran away. The actual situation was nevertheless serious and delicate. Many programmes had been set up; the latest one, "Don't give a street child money, give him a voucher", encouraged people to give street children shelter and food vouchers rather than money. And the children were gradually accepting the vouchers. It should be borne in mind that those children had left their family because they had been ill-treated and beaten in their home. It was understandable for them not to want to repeat the experience. In the streets, children were completely free and spent their time as they wished, while the centres where they were sent practised an authoritarian regime and made them get up, eat their meals and go to bed at fixed times. The centres were now allowing the children to organize their own time and activities and to see what advantages life in society held for them. Finally, efforts were being made to return children to the families they had left. All those reintegration programmes were making progress, and the Government was receiving help from the Chamber of Commerce and a number of non-governmental organizations.

51. The sale of organs was prohibited and the authorities had no knowledge of complaints on the subject. Organ donations were strictly controlled: doctors could not remove an organ from a deceased person unless the person had left a written declaration stating that he or she wished to donate the organ.

52. Mr. HAMMARBERG, speaking on a point of order, proposed that, in view of the limited amount of time left, the Committee should turn directly to the questions in the section "Special protection measures", beginning with those on child labour in the List of issues (CRC/C.5/WP.2).

53. The CHAIRPERSON said that, in the absence of objection, she would take it that the Committee adopted that proposal. Pending receipt of the delegation's written replies on that section, she invited members of the Committee to ask other questions on the subject.

54. It was so decided.

55. Mr. HAMMARBERG said that although the report contained some self-criticism, he found some discrepancy between the legislation and the actual situation in the country. A UNICEF report stated that in rural Colombia, 16 per cent of working children were under 9 years of age. He referred, in that connection, to the provisions of article 32 of the Convention on the Rights of the Child and noted that despite the legislation, there were children engaged in high-risk occupations such as mining. Many children also worked in the informal sector, which it was very difficult to monitor. The authorities should seek to resolve that problem by bringing Colombia's legislation into line with the international standards of ILO, ensuring that the laws were actually enforced and taking specific measures to prevent children being exploited economically or forced to do dangerous work or work that could jeopardize their education or harm their health.

56. Mr. KOLOSOV, referring to paragraph 45 of the report of Colombia (CRC/C/8/Add.3), said he wondered how articles 243 and 244 of the Minors' Code could be applied to the informal sector.

57. Mrs. SANTOS PAIS noted that there appeared to be more children not attending school than attending. She wondered whether the schools were meeting children's needs. If the educational system focused more on vocational training, might it not be of greater interest to children? She also wondered whether the provision of the law authorizing, on an exceptional basis and under special circumstances, work by minors over 12 years of age served the interests of children. The provision concerned only a very small number of children, for, according to the information sources, approximately 80 per cent of children were working in the informal sector which had no supervision, monitoring or social benefits. In view of that situation, she strongly urged Colombia to accede to ILO Convention No. 138, the Minimum Age (Industry) Convention and to ensure that the law was actually applied and enforced.

58. Referring to a French language Swiss television programme on the sale of organs in Colombia, especially the sale of eyes, she encouraged the authorities to conduct a serious inquiry, possibly based on the information provided in that programme, in an attempt to establish the truth.

59. Mrs. SARDENBERG, referring to paragraph 183 of the report of Colombia, said she wished to know whether the programme of coordination between the 3,000 NGOs working with children was being implemented and whether it had already produced any results.

60. Mgr. BAMBAREN GASTELUMENDI asked the Colombian delegation to provide information on the practice of "elimination" of children in the streets of certain cities ("Special protection measures", subsection 12) and on child

contract killers. He would also like to know whether heavier penalties were imposed on people who used minors as hired killers or to sell drugs and on those who participated in the "death squads".

61. Mr. KOLOSOV, referring to paragraph 50 of the report of Colombia, said he did not understand why a female under the age of 14 years who aborted without the authorities' consent was liable to a penalty of imprisonment for 3 to 10 years; he wondered who was responsible for giving consent.

62. Mrs. GALAN (Colombia) acknowledged that there was a gap between Colombia's legislation and the actual situation in certain sectors. In the area of education, for example, the law provided for compulsory free education up to the ninth grade and yet, in the rural areas, 16 per cent of children did not attend up to the ninth grade. For that reason the authorities had established the "New School Programme" (Programa de la escuela nueva) which aimed at meeting more effectively the specific needs of rural children by taking their world into account and making school more interesting for them.

63. Regarding child labour, she said it was difficult to verify compliance with the law and noted that not only the authorities, but the community, too, was responsible for verification. The Minors' Code prohibited work by children in the mines, but that, too, involved a problem of supervision, which was within the purview of both the Ministry of Labour and the Colombian Family Welfare Institute. She agreed that it was urgent to resolve the problem of people who hired minors without paying them or paid them very low wages to increase their own profits. She explained, however, that the fact that the authorities authorized work by minors in certain special circumstances did not mean that they approved of the economic exploitation of children. The maximum working hours of minors were set by law; efforts should focus on enforcement of the law. Regarding social welfare, working minors should be entitled to appropriate social benefits and should benefit from the same safeguards as applied to workers over 18 years of age.

64. Regarding Mr. Kolosov's remark concerning paragraph 50 of the Colombian report, she said that there appeared to be a translation error. It was not a matter of imprisoning minors under 14 years of age who aborted, but rather those who caused them to abort.

65. Replying to Mrs. Sardenberg's question concerning non-governmental organizations, she said that, under the plan of action for children, the Colombian Government and the non-governmental organizations working on behalf of children were uniting their efforts and financial and human resources with a view to increasing awareness of children's rights and implementing specific programmes in certain zones or sectors. The relevant activities and objectives had been defined, and it was noted that while the non-governmental organizations and governmental entities were active in certain areas, in others nothing or virtually nothing had been undertaken. The coordination programme aimed at reaching as many people as possible and conducting activities in a larger number of sectors.

66. On the question of the elimination of street children, she said that an inquiry was under way into events that had occurred at Cali the previous year. As for child contract killers, that was a grave problem for which the drug

traffickers were responsible. The latter had hired children as killers by assuring them that, under the law, they could not be sent to prison. When those responsible for planning the murders, those who had hired the children to commit them, were found, they were prosecuted and punished. The children who had been hired to commit the crimes and subsequently been placed in re-education centres had realized that they had been used and were in turn trying to convince children who wished to join the gangs that no possible good could come of it. It was important to give those children an opportunity to contribute to social well-being, so that they might feel of use.

67. Mr. KOLOSOV, speaking on a point of order, proposed that the Committee should invite the Colombian delegation to take part in the following meeting in order to complete the consideration of the report of Colombia.

68. The CHAIRPERSON said that she found the replies given by the Colombian delegation insufficiently specific. She again proposed that the delegation should be asked to furnish, in writing, more detailed information on the action taken in Colombia on behalf of children.

69. Mrs. SANTOS PAIS proposed that the Committee should invite the Colombian delegation to respond in writing to the list of issues sent to it, as some of the questions had not been dealt with or had been dealt with very superficially, and that it formulate its observations on the report (CRC/C/8/Add.3) at the next meeting, placing emphasis on the subjects of concern on which it desired further information.

70. Mrs. SARDENBERG, endorsing those proposals, said that an hour at the next meeting should be sufficient, provided members of the Committee did not raise other questions but simply expressed their views on the report of Colombia, stressing the areas in which the Colombian delegation should send further information.

71. The CHAIRPERSON said that, in the absence of objection, she would take it that the Committee wished to proceed in that way.

72. It was so decided.

The meeting rose at 5.55 p.m.